

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

OBE E. JOHNSON

Plaintiff

vs

LUIS I. MUÑIZ, Police Agent CIC Robo

Defendants

CIVIL 13-1271CCC

OPINION AND ORDER

Before the Court is plaintiff Obe E. Johnson's (herein after "Plaintiff" or "Johnson") complaint pursuant to 42 U.S.C. § 1983 filed on April 4, 2013 (D.E. 3).¹ For the reasons discussed below, the Court finds that plaintiff's complaint pursuant to 42 U.S.C. § 1983 must be **DISMISSED WITH PREJUDICE**.

I. BACKGROUND

On April 4, 2013, plaintiff filed a prisoner's civil rights violation complaint pursuant to 42 U.S.C. § 1983 against Puerto Rico police officer Luis I. Muñiz (D.E. 3). Plaintiff alleges that as a consequence of officer Muñiz having submitted false statements and evidence against him, he was found guilty in the courts of Puerto Rico and subsequently lost his company. Johnson claims that he should be indemnified in the amount of sixty million dollars for the loss of his company (D.E. 3). Plaintiff provides no additional information on this matter nor does he submits appropriate background of his state conviction.

The Court need not enter into the merits, or lack thereof, of plaintiff's claim. A review of the Court's records indicates that Johnson had previously filed in this Court a § 1983 action against the same defendant alleging the same set of facts, Civil No. 09-1173(JP). The record reflects that said first filing was dismissed with prejudice by the Court (D.E. 9 in Case No. 09-1173(JP)). As such, plaintiff is precluded from bringing that

¹D.E. is an abbreviation of docket entry number.

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same claim again and his latest § 1983 claim is hereby dismissed with prejudice. Judgment shall be entered accordingly.

SO ORDERED.

At San Juan, Puerto Rico, on February 28, 2014.

S/CARMEN CONSUELO CEREZO
United States District Judge